

SEC. 4. Report. Said commission shall make a full report of the execution of its trust to the governor on or before the 15th day of January, 1902.

Approved March 29, 1900.

CHAPTER 179.

RELATING TO IMPROVEMENT OF THE DES MOINES RIVER.

H. F. 58.

AN ACT to authorize the improvement and regulate the use of the Des Moines river and its bed and banks within the corporate limits of the city of Des Moines.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Limits defined. That this act is intended to operate within the city of Des Moines only and to authorize the improvement and regulate the use of certain portions of the Des Moines river and its bed and banks between the Raccoon fork on the south and the northern and western limits of Union park as the same now exists or may be hereafter extended; the portions to be so improved and regulated being more particularly described as follows: Wherever now or in the future any public street, highway, public ground, or park, owned by the city of Des Moines or by the public, or owned or controlled by the board of park commissioners of said city, abuts upon either bank of the Des Moines river, the portions of the said river banks on which the same abut situated below high water mark and also the bed of the river to the opposite shore line thereof, and the river itself within the limits aforesaid, are to be subject to the operation of this act; provided, that the fee title to such bed and banks shall remain in the state, and the vested rights of other riparian owners shall not be affected by this act.

□ **SEC. 2. Jurisdiction and control—general powers of park commissioners.** That jurisdiction and control for park purposes and for the purposes herein specified are hereby vested in the board of park commissioners of the city of Des Moines over the said river and the bed and banks thereof within the limits specified in section one (1) of this act; and said board shall have power to use such portion of its funds as may be available to improve and utilize the same for the public use and pleasure, and to exercise in respect thereto the general powers as to parks conferred by sections eight hundred and fifty (850) to and inclusive of section eight hundred and fifty-eight (859) of the code. Said board shall have power to straighten, cut away, or fill in said river banks and to preserve the same by walls, piling, levees, or otherwise; to excavate, remove sand bars or other obstructions from and otherwise improve the bed of said river so as to make it available for boating, skating, and other sports; and to make any other change in said river-bed and banks which may be deemed suitable to their use for park purposes. Said board shall have power to construct one or more bridges across said river to connect one park with another, or to connect different portions of the same park; and also to construct a dam across said river below the present dam, provided, such dam shall not injuriously affect the water power or dam of the Des Moines Edison Light company while maintained and kept in proper repair.

SEC. 3. Additional powers. That said board of park commissioners shall have power, in and over the said river bed and banks as specified in section one (1), to construct and regulate the use of wharves, landing places, bath houses, boat houses, and other suitable structures; and, if said board shall by the construction of a dam at public expense below the present dam hold back and maintain a bed of water suitable for boating, skating, and other sports, it shall have exclusive jurisdiction over such water between such dams, and the ice formed thereon for park purposes, and may prohibit

the taking of ice therefrom by riparian owners or other persons. The improvement and use of said river for boating, skating, and similar sports shall be deemed park purposes within the meaning of this act and the general law.

SEC. 4. City to make appropriations. That the city of Des Moines is hereby authorized to aid in making the improvements specified in this act by appropriating money from its general fund, or from the surplus remaining at the end of the fiscal year in any special fund, except in cases where such diversion of moneys is specially prohibited by statute.

SEC. 5. In effect. This act, being deemed of immediate importance, shall be in force and take effect from and after its publication in "The Iowa State Register" and "The Des Moines Leader," newspapers published in the city of Des Moines, state of Iowa.

Approved March 21, 1900.

I hereby certify that the foregoing act was published in the Iowa State Register and the Des Moines Leader March 22, 1900.

G. L. DOBSON,
Secretary of State.

CHAPTER 180.

CONSTRUCTION OF RAILWAY TRACKS OVER GROUNDS OF STATE NORMAL SCHOOL.

S. F. 264.

AN ACT authorizing the Waterloo & Cedar Falls Rapid Transit Company to construct its railway over the grounds of the state used for normal school at Cedar Falls, Iowa.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Authority to construct—rules and regulations. That authority is hereby given to the Waterloo & Cedar Falls Rapid Transit Company, to construct and operate its railway over and upon the grounds of the state of Iowa, which are used for and in connection with the normal school, at Cedar Falls, Iowa, under such reasonable restrictions, rules, and regulations as to the location of its track, and its operation, as may be established by the board of trustees of the normal school at Cedar Falls, Iowa; and said board of trustees are hereby authorized to prescribe such reasonable rules and regulations in reference to location, construction, and operation of said railway over and upon said grounds as it may deem proper and necessary.

SEC. 2. Restrictions. Said railway shall be operated only by electric or such other power as may be approved by the trustees of the normal school at Cedar Falls, Iowa; and, in case such railway shall cease to be operated over and upon the grounds used for and in connection with the normal school at Cedar Falls, Iowa, for a period of one year, all rights and privileges granted hereby, or by the trustees of said normal school to said railway, shall terminate, and the track of said railway shall be by said Waterloo & Cedar Falls Rapid Transit Company removed from said grounds, and the grounds be put in the same condition in which they were before such track was laid.

SEC. 3. In effect. This act, being deemed of immediate importance, shall be in effect from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 6, 1900.

I hereby certify that the foregoing act was published in the Des Moines Leader April 10, 1900, and in the Iowa State Register April 12, 1900.

G. L. DOBSON,
Secretary of State.